

Applicant(s): John Mansbridge

Serial No.: 09/494,053

Group Art Unit: 2634

Examiner: Ahn, Sam K.

Title: DATA FILTERING APPARATUS AND METHOD OF FILTERING A PLURALITY OF DATA SIGNALS

## REMARKS

### A. CLAIM OBJECTION

The Examiner raised the following objection to claim 9: "Claim 9 recites the limitation 'the at least one data signal' in line 10. There is insufficient antecedent basis for this limitation in the claim."

Applicant canceled claims 1-10 and added new claims 10-23. In drafting the new claims, Applicant has been careful to properly claim Applicant's invention and avoid any objections.

### B. CLAIM REJECTIONS UNDER 35 U.S.C. §102(e)

The Examiner has rejected claims 1-2, 4 and 6-9 under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,480,445 B1 to Yun et al.

To advance this application, Applicant has canceled all pending claims and added new claims 10-23. No new matter has been added. Care was taken in drafting the new claims to particularly point out and distinctly claim Applicant's invention. The new claims 10-23 include independent apparatus claim 10 and independent method claim 22; all other claims are dependent on claims 10 and 22, directly or indirectly.

Apparatus claim 10 recites the present invention as follows:

"A data filtering apparatus having means to input a radio frequency signal, means to convert said radio frequency signal to a plurality of data signals, processing means comprising a photodiode array processing unit arranged to identify at least one data signal from the plurality of data signals conforming to a predetermined criteria and transmit an identifying signal corresponding to the identified at least one data signal to a multiplexing unit for selective processing of the at least one data signal from the plurality of data signals."

As stated in Claim 10, a critical limitation of the present invention is

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having a means to input a radio frequency signal. Yun et al. does not teach or claim this limitation, in fact, it teaches away from this limitation (Claims 1 & 4), Yun et al.'s R/F signal is an output of the system and not an input of the radio frequency signals as detailed in Applicant's Specification page 4, third paragraph and in Claim 10. Furthermore, the present invention has the limitation of "a data filtering apparatus having means to input a radio frequency signal, means to convert said radio frequency signal to a plurality of data signals." In contrast, the cited reference's R/F signal relates to a light signal, (Yun et al Claims 30 and 34 and in the Description of the Preferred Embodiments, column 4, lines 55 – 65), and not a radio frequency as stated in Applicant's Claim 10 and on page 4, third paragraph of the Specification. Nowhere in Yun et al., is it disclosed or taught to have a means to input a radio frequency signal, means to convert said radio frequency signal to a plurality of data signals. This is a novel feature, and is unobvious in view of its absence in the prior art.

In addition, as recited in claim 10, the present invention details the limitation of a processing means comprising a photodiode array processing unit arranged to identify at least one data signal from the plurality of data signals conforming to a predetermined criteria. The filtering referred to by the Examiner in Yun et al., (X1 and Y1 and col. 5, lines 20-45), when a signal is compared with a threshold, is for a single input and not a plurality of signals as claimed in Applicant's Claim 10. As such, nowhere in Yun et al. is it disclosed that a plurality of signals are filtered at the same time. In contrast to the cited reference, Applicant claims a processing means comprising a photodiode array processing unit arranged to identify at least one data signal from the plurality of data signals conforming to a predetermined criteria.

The cited art fails to disclose or teach the filtering of a radio frequency signal as claimed in Claim 10. Yun et al. relates to an entirely different subject

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that does not have a means to input a radio frequency signal, means to convert said radio frequency signal to a plurality of data signals, processing means comprising a photodiode array processing unit arranged to identify at least one data signal from the plurality of data signals conforming to a predetermined criteria and transmit an identifying signal corresponding to the identified at least one data signal to a multiplexing unit for selective processing of the at least one data signal from the plurality of data signals as recited in claim 10.

Method claim 22 recites the method of the present invention in a comparable manner as follows:

“A method of filtering a radio frequency signal comprising: converting said signal to a plurality of data signals; processing the plurality of data signals and identifying at least one data signal from the plurality of data signals conforming to a predetermined criteria and generating an identifying signal, transmitting the identifying signal corresponding to the identified at least one data signal to a multiplexer for selective processing of the at least one data signal from the plurality of data signals.”

Applicant's limitation in Claim 22, a method of filtering a radio frequency signal comprising: converting said signal to a plurality of data signals is not taught in the cited art. Rather, Yun et al. discloses an optical disk reproducing method to reduce the servo-control errors caused by stained blots or track damage such as a scratch on the track of an optical disk, thereby accomplishing a more accurate servo operation, and more effectively preventing servo-control errors in a high-density optical disk player. (Yun et al., column 6, lines 48-54). Nowhere in Yun et al. is it disclosed a method of filtering a radio frequency signal. Therefore, the limitation cited in Applicant's Claim 22 is novel and unobvious in view of its absence in the prior art.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art

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reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831 (Fed. Cir. 1990). MPEP § 2131 (Eighth Edition, August 2001, Latest Revision February 2003).

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### **SUMMARY**

The Applicant has amended the claims to include new claims 10-23. No new matter has been added.

No fee is believed to be due with this submission. However, if a fee is required, please charge any required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket No. 724-X00-003).

In light of the foregoing remarks, this application should be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Respectfully submitted,



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